

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

RICKY W. WELLS, ET AL. §
v. § CIVIL ACTION NO. 9:07CV27
UNION PACIFIC RAILROAD COMPANY §

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE


The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Defendant's Motion for Summary Judgment as to Plaintiff James V. Rogers ([document #66](#)) be granted. Plaintiff filed written objections on March 27, 2008.

Having made a *de novo* review of the written objections filed by Plaintiff, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The findings and conclusions of the Magistrate Judge are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that Defendant's Motion for Summary Judgment as to Plaintiff James V. Rogers ([document #66](#)) is **GRANTED**. The claims of Plaintiff James V. Rogers are **DISMISSED** with prejudice because they are barred by the statute of limitations.

SIGNED this the **2** day of **April, 2008**.


Thad Heartfield
United States District Judge